

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 656 – SB 1002

March 25, 2013

SUMMARY OF ORIGINAL BILL: Corrects a word omission in Tennessee Code Annotated.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (005325): Deletes all language after the enacting clause. Establishes that two members of the County Board of Equalization (CBOE) will be appointed by the governing body of the largest city in counties having one or more cities with population exceeding 60,000. Authorizes an appointing authority to designate alternates on CBOE and authorizes CBOE's chair to call upon an alternate to sit for a regular member if such member is unavailable for a particular hearing. Authorizes officials, other than the county mayor, authorized by law to administer oaths, to administer oaths for each member of CBOE and each assessor. Authorizes a notice, sent to the applicant and the assessor of property, of the initial determination for a property tax exemption to be in electronic means and preserved in digital or electronic format. Grants the power to inspect or require the production of books and papers to the property assessor, and establishes confidentiality requirements for information obtained pursuant to this section. Creates a Class C misdemeanor offense for violation of confidentiality requirements under this section. Authorizes the assessor to send the notice of assessment changes by email. Assures validity of assessments, including back assessments, reassessments, or corrections of assessment errors, despite technical errors, irregularities or omissions, as long as there is no denial of constitutional due process. Establishes that property assessor's property maps, prepared for property tax and assessment purposes, are not conclusive evidence of property ownership in any court of law. Prohibits equalization factors in public utility assessments and commercial and industrial tangible personal property assessments from exceeding a factor of one. Authorizes CBOE hearings to be conducted by telephone, television, software or other electronic means, if each participant in the hearing has an opportunity to participate in, to hear, and, if technically feasible, to see the entire proceedings while taking place. Deletes the requirement of additional \$2.00 filing fee for electronic appeals to the State Board of Equalization (SBOE). Authorizes CBOE to approve a reappraisal plan specifying a schedule for on-site review that is different than the standard schedule, but is no longer than five years.

HB 656 – SB 1002

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

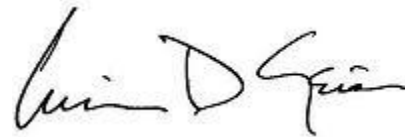
Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The proposed revisions to Title 67 of Tennessee Code Annotated, relative to property taxation, will not result in a significant fiscal impact to the state or local government. Any fiscal impact resulting from the deletion of the obsolete \$2.00 processing fee for electronic appeals will be not significant.
- Any decrease in local expenditures for notices that are authorized to be sent electronically, instead of through the mail, is estimated to be not significant.
- There will not be a sufficient number of prosecutions for local government, as a result of the creation of the Class C misdemeanor offense for violating the confidentiality requirements of this bill as amended, to experience any significant increase in revenue or expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Lucian D. Geise, Executive Director

/bos